

REMARKS

I. Status of the Claims

At the time of the Action, Claims 25-28 were pending. Claim 29, which depends from Claim 26, has been added hereinabove. Claims 30-33 have also been added hereinabove. Claim 25 has been canceled.

Claim 26 is objected to for the inclusion of the word "member" rather than "members" in the second line of the second-to-last paragraph. Claim 26 has been amended above to make this revision.

Claims 25-28 stand rejected under Section 102(b) as anticipated by U.S. Patent No. 1,847,564 to Hood (Hood). These rejections are addressed hereinbelow.

II. The Section 102(b) Rejections

The Action states that Claims 26-28 are anticipated under Section 102(b) by Hood. With regard to Claim 26, the Action states that Hood discloses a storage cabinet comprising:

a container having a floor, upright side walls and a rear wall attached to and extending upwardly from said floor, and a ceiling attached to said side walls and rear wall, said floor, side walls, rear wall, and ceiling defining a storage cavity; a vertical support member extending upwardly from said floor; two doors, each pivotally attached to the cabinet on opposite sides of the support member, and each movable between an open position, in which said cavity is accessible from a position forward thereof, and a closed position, in which said doors contact said support member and prevents access to said cavity from a position forward thereof, and a latching mechanism attached to said support member, said latching mechanism including at least one release member protruding forwardly from said support member, the at least one release member being movable from a latched position; wherein the doors may be transitioned from a latched condition, in which said latching mechanism latches said doors in the closed position in which the doors are in side-by-side relationship, to an unlatched position, in which said latching mechanism allows said doors to move to the open position, by moving either of said upper 20 and

lower 26 release members from its latched position to its unlatched position.

Based on these characterizations, the Action concludes that Hood anticipates the subject matter of Claim 26.

In response, Applicants note that Claim 26 recites that the doors may be transitioned from the latched condition to the unlatched condition by moving either of the upper or lower release members to its unlatched position. Thus, release of either of the upper or lower release members permits both doors to open. In contrast, the Hood cabinet actually includes two separate latching mechanisms, each of which includes its own lock bolt 5 and its own foot piece 26. Release of either the lock bolt 5 or foot piece 26 of either of the separate locking mechanism of Hood releases one of the doors 2, but does not release both doors (otherwise, there would be no apparent need to have two separate locking mechanisms with two locking bolts and two foot pedals). As such, Hood does not disclose at least this element of Claims 26-28. Accordingly, Applicant submits that Hood cannot anticipate the subject matter of these claims under Section 102(b), and respectfully requests that this rejection be withdrawn.

Moreover, Applicant further submits that the claimed subject matter would not have been obvious to the ordinary skilled artisan in view of the cited art. There is simply no disclosure or teaching in Hood of either the desirability of opening both doors at the same time, or of how to modify the Hood device to enable such operation. As such, Applicant submits that the subject matter of Claims 26-28 and new Claim 29 distinguishes over Hood under Section 103(a) also.

III. New Claims 30-33

New Claims 30-33 are proffered for entry and examination. Claim 30 recites, *inter alia*, that the cabinet includes two doors, that in the closed position the doors are in side-by-side relationship, and that movement of the latching mechanism to the unlatched condition via the at least one release member allows both doors to move to the open position. Applicant submits that the subject matter of Claim 30 is free of the cited art for the same reasons as are set forth above

Serial No. 10/765,404

Filed June 8, 2004

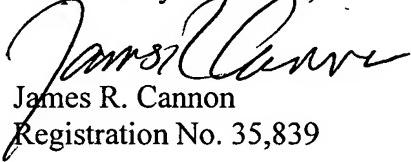
Page 7 of 7

with respect to Claims 26-28. Claims 31-33 depend from Claim 30 and are offered to more completely claim the invention.

IV. Conclusion

Inasmuch as all of the outstanding issues raised in the Action have been addressed, Applicant respectfully submits that the application is in condition for allowance, and request that it be passed to allowance and issue.

Respectfully submitted,


James R. Cannon
Registration No. 35,839

Myers Bigel Sibley & Sajovec, P.A.
Post Office Box 37428
Raleigh, NC 27627
Telephone (919) 854-1400
Facsimile (919) 854-1401

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 7, 2005.

Signature: Joyce Paoli
Joyce Paoli
Date of Signature: March 7, 2005